



WILLIAM T FUJIOKA
Chief Executive Officer

County of Los Angeles CHIEF EXECUTIVE OFFICE

713 KENNETH HAHN HALL OF ADMINISTRATION
LOS ANGELES, CALIFORNIA 90012
(213) 974-1101
<http://ceo.lacounty.gov>

October 2, 2007

The Honorable Board of Supervisors
County of Los Angeles
383 Kenneth Hahn Hall of Administration
500 West Temple Street
Los Angeles, CA 90012

Dear Supervisors:

**DEPARTMENT OF PUBLIC WORKS: ACTON PARK PHASE II
APPROVE APPROPRIATION ADJUSTMENT AND
REVISED PROJECT BUDGET
SPECS. 6817; C.P. 69190
(FIFTH DISTRICT) (3 VOTES)**

IT IS RECOMMENDED THAT YOUR BOARD:

1. Find the construction of the community pavilion element of the Acton Park Phase II project categorically exempt from the California Environmental Quality Act and the Environmental Document Reporting Procedures and Guidelines adopted by the Board of Supervisors (Board) on November 17, 1987, cited herein.
2. Approve the appropriation adjustment in the amount of \$175,000 to increase appropriation for the Acton Park Phase II project funded by the 1996 Safe Neighborhood Parks Proposition A Excess Funds and Park In-Lieu Fees.
3. Approve the revised Acton Park Phase II project budget in the amount of \$1,168,634.
4. Authorize the Director of Public Works or his designee to award and execute the construction contract, in the form previously approved by County Counsel, to PIMA Corporation and to establish the effective date of the contract upon receipt by the Director of Public Works of acceptable Performance and Payment Bonds and evidence of required contractor insurance.

Board of Supervisors
GLORIA MOLINA
First District

YVONNE B. BURKE
Second District

ZEV YAROSLAVSKY
Third District

DON KNABE
Fourth District

MICHAEL D. ANTONOVICH
Fifth District

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTIONS

Approval of the recommended actions will allow the Department of Public Works (Public Works) to proceed with construction of the Acton Park Phase II project.

On June 19, 2007, your Board adopted plans and specifications, authorized advertising for construction bids, and granted delegated authority to Public Works to award a construction contract for the Acton Park Phase II project. On July 11, 2007, four bids were received and PIMA Corporation (PIMA) was the apparent Lowest Responsive and Responsible Bidder. The bid results are summarized in Attachment C. As required by your Board, we are requesting approval to award the construction contract within the revised project budget.

The proposed project consists of constructing those items prescribed in the base bid, which includes a 2,800 square foot metal gazebo that will serve as a community pavilion, regulation softball field, irrigation and seeded turf for the regulation softball field, electrical service to the gazebo, infield backstop, trees, and a flagpole. In addition, three of eight additive bid items for a basketball court, concrete walkways, and additional seeded turf and irrigation have been included in the project. In addition, should funds become available, a play area shade structure will be purchased and installed through the County of Los Angeles (County) purchasing agent, Internal Services Department.

PIMA, as the apparent Lowest Responsive and Responsible Bidder, is required to prepare a baseline construction schedule that conforms to the County's schedule specification, which is critical to successfully managing construction activities by both the contractor and the County. PIMA has prepared and submitted their schedule, which is currently under review by Public Works. Bid specifications provide that if PIMA fails to complete an acceptable schedule, Public Works may return to your Board to recommend that PIMA be determined nonresponsive and recommend awarding the construction contract to the next apparent Lowest Responsive and Responsible Bidder, contingent on the next bidder completing a baseline schedule that conforms to the County's specifications.

Implementation of Strategic Plan Goals

The Countywide Strategic Plan directs that we provide Fiscal Responsibility (Goal 4) and Children and Families' Well-Being (Goal 5) as the proposed improvements will expand recreational opportunities and improve the quality of life.

FISCAL IMPACT/FINANCING

The revised total construction cost for this project is \$961,434 and includes \$718,700 for the base contract, \$153,000 for the three additive bid items, and \$89,734 as a change order allowance. The total proposed revised project cost, including plans and specifications, plan check, construction, and County services, is \$1,168,634, which is \$175,000 higher than the budget previously approved by your Board on June 19, 2007. The attached appropriation adjustment (Attachment B) will increase appropriation by \$175,000, funded by the 1996 Safe Neighborhood Parks Proposition A Excess Funds in the amount of \$140,000, and Park In-Lieu Fees in Park Planning Area No. 43B in the amount of \$35,000, to fully fund the Acton Park Phase II project. Upon approval by your Board of the attached budget adjustment, sufficient appropriation will be included in the Fiscal Year 2007-08 Capital Projects/Refurbishments Budget for Acton Park Phase II project (C.P. 69190) to fund the proposed project. The Project Schedule and Budget Summary are included in Attachment A.

The proposed project is funded by a \$371,335 State Proposition 12 Per Capita Program grant, a \$422,299 State Proposition 12 Robert-Z'Berg-Harris Program grant, \$340,000 from 1996 Safe Neighborhood Parks Proposition A Excess Funds, and \$35,000 from Park In-Lieu Fees allocated in Park Planning Area No. 43B.

Operating Budget Impact

Based on the project description and current salary and benefits rates, the Department of Parks and Recreation (Parks and Recreation) anticipates a one-time start-up cost of \$53,000 for recreation and grounds maintenance equipment. In addition, Parks and Recreation anticipates an additional increase of \$132,000 in annual ongoing operating costs for recreation staff and supplies, maintenance staff and supplies, and utilities.

Parks and Recreation has worked with the Chief Executive Office to determine the appropriate operating requirements and available funding, and funding for the one-time and ongoing cost is included in the Fiscal Year 2007-08 Adopted Budget. Based on the current project schedule, one-time start-up and ongoing operating costs will be incurred sometime in mid-Fiscal Year 2007-08.

FACTS AND PROVISIONS/LEGAL REQUIREMENTS

The State Public Contract Code requires the County to award construction contracts to the Lowest Responsive and Responsible Bidder, which is defined as the firm that: 1) submits the bid with the lowest cost; 2) is deemed by the County to be "responsive" to specific criteria under the solicitation, including, but not limited to licensure, bonding,

and insurance requirements; and 3) is determined by the County to be a "responsible" bidder by exhibiting the capability, capacity, experience, trustworthiness, and financial wherewithal to perform the work required under the bid solicitation.

A standard construction contract, in the form previously approved by County Counsel, will be used. The standard Board-directed clauses that provide for contract termination, renegotiation, and hiring qualified displaced County employees will be included in the contract.

The project specifications contain provisions requiring the contractor to report solicitations of improper consideration by County employees and allowing the County to terminate the contract if it is found that the contractor offered or gave improper consideration to County employees.

As requested by your Board on August 12, 1997, and as a threshold requirement for consideration of contract award, bidders will be required to attest their willingness to consider Greater Avenues for Independence (GAIN) and General Relief Opportunity for Work (GROW) program participants for future employment.

As required by your Board, language has been incorporated into the project specifications stating that the contractor shall notify its employees, and shall require each subcontractor to notify its employees, about Board Policy 5.135 (Safely Surrendered Baby Law) and that they may be eligible for the Federal Earned Income Credit under the Federal income tax laws.

PIMA Corporation has shown full compliance with Los Angeles County Code Chapter 2.200 (Child Support Compliance Program) and Chapter 2.203 (Contractor Employee Jury Service Program).

ENVIRONMENTAL DOCUMENTATION

On October 26, 1999, your Board approved the Mitigated Negative Declaration for the Acton County Park Acquisition and General Development pursuant to the California Environmental Quality Act (CEQA) Guidelines. On August 4, 2004, your Board approved Addendum 1 to the Mitigated Negative Declaration, which approved the park development to be implemented in phases rather than being fully developed at one time, and the relocation of some of the park amenities from the north side of the park to the south side of the park.

Subsequent to your Board's approval of the Mitigated Negative Declaration, the community requested the addition of a community pavilion to Acton Park. The construction of the community pavilion is exempt from CEQA according to Article 19, Section 15303(e), and Class 3(b) of the Environmental Document Reporting Procedures and Guidelines adopted by your Board on November 17, 1987, because the project provides for installation of new accessory structures.

CONTRACTING PROCESS

On June 19, 2007, your Board adopted plans and specifications, authorized advertising for bids, and granted delegated authority to Public Works to award a construction contract if the bid could be accommodated within the project budget. On July 11, 2007, four bids were received (Attachment C). PIMA was the apparent Lowest Responsive and Responsible Bidder with a bid slightly higher than the Board-approved project budget. Upon your Board's approval of the revised project budget, Public Works will execute a construction contract with PIMA upon receipt of an acceptable baseline construction schedule as required in the plans and specifications.

IMPACT ON CURRENT SERVICES (OR PROJECTS)

The park will remain open during the construction period scheduled to begin in November 2007. However, access to the gazebo, new softball field, and some additional sections of the park site will be limited during construction.

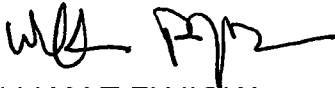
The completed project will allow Parks and Recreation to expand its sports programs and recreational activities in response to community input. In addition, the improved facilities and amenities will contribute to a healthier environment for both passive and programmed park activities.

The Honorable Board of Supervisors
October 2, 2007
Page 6

CONCLUSION

Upon approval of the recommendations, please forward an adopted, stamped copy of the Board letter to my office.

Respectfully submitted,



WILLIAM T FUJIOKA
Chief Executive Officer

WTF: DLW:DL
JSE:DJT:DKM:z

Attachments (3)

c: Auditor-Controller
County Counsel
Office of Affirmative Action Compliance (Ozie Smith)
Department of Parks and Recreation
Department of Public Social Services (GAIN/GROW Program)
Department of Public Works

October 2, 2007

ATTACHMENT A

**ACTON PARK PHASE II
APPROVE APPROPRIATION ADJUSTMENT AND
REVISED PROJECT BUDGET
SPECS. 6817; C.P. 69190**

I. PROJECT SCHEDULE

Project Activity	Scheduled Completion Date	Revised Completion Date
Construction Documents	05/04/07*	
Jurisdictional Approvals	05/11/07*	
Construction Award	08/01/07	10/02/07
Construction Start	08/13/07	11/01/07
Substantial Completion	12/13/07	03/01/08
Final Acceptance	12/31/07	03/31/08

* Indicates completed activity

II. PROJECT BUDGET SUMMARY

Budget Category	Approved Budget	Impact of this Action	Revised Project Budget
Plans and Specifications	\$ 66,850	\$ 0	\$ 66,850
Plan Review	\$ 3,000	\$ 0	\$ 3,000
Construction			
Construction Contract	\$714,940	\$156,760	\$ 871,700
Change Order Allowance	71,494	18,240	89,734
Total Construction	\$786,434	\$175,000	\$ 961,434
County Services	\$137,350	\$ 0	\$ 137,350
Total Project	\$993,634	\$175,000	\$1,168,634

October 2, 2007

ATTACHMENT B

**ACTON PARK PHASE II
APPROVE APPROPRIATION ADJUSTMENT AND
REVISED PROJECT BUDGET
SPECS. 6817; C.P. 69190**

**FISCAL YEAR 2007-08
(FIFTH DISTRICT) 3 VOTES**

FINANCIAL SOURCES:

Department of Parks & Recreation
Capital Project/Refurbishment
Various 5th Dist. Parks (5)
Acquisition & Development
Rev: Reg Park & Open Space DT/CP
AO1 – CP –6014-65043-77112 140,000
Decrease Appropriation

Department of Parks & Recreation
Capital Project/Refurbishment
Acton Park (5)
General Improvements Phase II
Rev: Reg Park & Open Space DT/CP
AO1 - CP-91-R400-65043-69190 140,000
Increase Revenue

Department of Parks & Recreation
Capital Project/Refurbishment
Park In-Lieu Fees Special Fund
Services and Supplies
J06 – 86 - PK - 65011 – 2000 35,000
Decrease Appropriation

Department of Parks & Recreation
Capital Projects/Refurbishments
Acton Park (5)
General Improvements Phase II
Rev: Charges for Services Quimby/CP
AO1 – CP –86 – R401- 65043 – 69190 35,000
Increase Revenue

350,000

FINANCIAL USES:

Department of Parks & Recreation
Capital Project/Refurbishment
Various 5th Dist. Parks (5)
Acquisition & Development
Rev: Reg Park & Open Space DT/CP
AO1 - CP-91-R400-65043-77112 140,000
Decrease Revenue

Department of Parks & Recreation
Capital Project/Refurbishment
Acton Park (5)
General Improvements Phase II
Building & Improvements
AO1 - CP-6014-65043-69190 175,000
Increase Appropriation

Department of Parks & Recreation
Capital Project/Refurbishment
Park In-Lieu Fees Special Fund
Other Charges
J06 – PK – 65011 – 65042 -5500 35,000
Increase Appropriation

350,000

Justification:

This adjustment is necessary to increase appropriation and revenue for the Acton Park Phase II project to fully fund the project scope of work. Funds are provided from the Safe Neighborhood Parks Propositions of 1992 and 1996; and Park In-Lieu Fees Special Fund.

October 2, 2007

ATTACHMENT C

**ACTON PARK PHASE II
APPROVE APPROPRIATION ADJUSTMENT AND
REVISED PROJECT BUDGET
SPECS. 6817; C.P. 69190**

BID SUMMARY

PROJECT DESCRIPTION

The proposed project consists of adding a gazebo/community pavilion, a regulation softball field, associated landscaping, irrigation, utilities, additive alternative basketball court, and walkways.

Bid Opening Date: July 11, 2007

Fair Construction Cost Estimate: \$710,600 (Base Bid)

Bid Summary:

The lowest bid was determined as the lowest total of the base bid plus the eight additive bid alternates less any applicable Small Business Credit.

Contractor's Name	Base Bid	Alts. 1 – 8	Less: Small Bus. Credit	Total Bid
PIMA Corporation	\$718,700	\$373,500	\$ (0)	\$1,092,200
Tiffany Group	\$822,000	\$413,200	\$(41,100)	\$1,194,100
MJS Construction	\$829,000	\$407,000	\$ (0)	\$1,236,000
AMG & Associates	\$877,000	\$713,000	\$ (0)	\$1,590,000